

IN THE UNITED STATES BANKRUPTCY COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE

IN RE:

DANNY LANE KEYS and wife,
JANICE DIANE KEYS,
Husband's SS#: XXX-XX-8108
Wife's SS#: XXX-XX-0264
80 Timberline Road
Crossville, TN 38571

Debtors.

)
)
) Chapter 13 Proceeding
) Case No. 212-07578
) Randal S. Mashburn, Judge
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**THE DEADLINE FOR FILING A TIMELY RESPONSE IS: SEPTEMBER 30, 2014
IF A RESPONSE IS TIMELY FILED, THE HEARING WILL BE: NOVEMBER 13, 2014
AT 9:30 A.M., IN THE L. CLURE MORTON POST OFFICE AND COURTHOUSE,
9 EAST BROAD STREET, COOKEVILLE, TENNESSEE 38501**

NOTICE OF DEBTORS' MOTION TO MODIFY CHAPTER 13 PLAN

The Debtors have asked the Court for the following relief:

APPROVAL OF MOTION TO MODIFY CHAPTER 13 PLAN

YOUR RIGHTS MAY BE AFFECTED. If you do not want the Court to approve the attached Motion, or if you want the Court to consider your views on said Motion, then on or before September 30, 2014, you or your attorney must:

- 1) If you are an attorney, you must timely file a response electronically using the Bankruptcy Court's CM/ECF system. If you are representing yourself pro se, you must file with the Court your written response or objection explaining your position at:

By Mail: U.S. Bankruptcy Court, P.O. Box 24890, Nashville, Tennessee 37202-489090

In Person: U.S. Bankruptcy Court, 701 Broadway, First Floor, Nashville,
Tennessee 37203 (Monday – Friday, 8:00 a.m. – 4:00 p.m.)

- 2) **Your response must state that the deadline for filing responses is September 30, 2014; the date of the scheduled hearing is November 13, 2014, at 9:30 a.m., in the L. Clure Morton Post Office and Courthouse, 9 East Broad Street, Cookeville, Tennessee 38501; and the document to which you are responding is the Debtors' Motion to Modify Chapter 13 Plan.** If you want a file stamped copy returned, you must include an extra copy and self-addressed, stamped envelope.
- 3) If you are representing yourself pro se, you must also mail a copy of your response to:

Steven L. Lefkovitz
Lefkovitz & Lefkovitz
Attorney for Debtors
618 Church Street, Suite 410
Nashville, Tennessee 37219
Tel. No.: (615) 256-8300
Fax No.: (615) 255-4516

Beth Roberts Derrick
Assistant United States Trustee
318 Customs House
701 Broadway
Nashville, Tennessee 37203
Tel. No.: (615) 736-2254
Fax No.: (615) 736-2260

Henry E. Hildebrand, III
Chapter 13 Trustee
P.O. Box 340019
Nashville, Tennessee 37203
Tel. No.: (615) 244-1101
Fax No.: (615) 242-3241

If a timely response is filed, the hearing will be held at the time and place indicated above. ***THERE WILL BE NO FURTHER NOTICE OF THE HEARING DATE.*** You may check whether a timely response has been filed by calling the Clerk's office at (615) 736-5584, or viewing the case on the Court's web site at <www.tnmb.uscourts.gov> If you received this notice by mail, you may have three additional days in which to file a timely response under Rule 906(f) of the Federal Rules of Bankruptcy Procedure.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the attached Motion and may enter an Order granting the relief sought therein.

Date: September 9, 2014

Signature: /S/ STEVEN L. LEFKOVITZ
Steven L. Lefkovitz, No. 5953
Attorney for Debtors
618 Church Street, Suite 410
Nashville, Tennessee 37219
Phone: (615) 256-8300
Fax: (615) 255-4516
Email: slefkovitz@lefkovitz.com

CERTIFICATE OF SERVICE

I hereby certify that I have sent a true and exact copy of the foregoing to Beth Roberts Derrick, Assistant United States Trustee, Henry E. Hildebrand, III, Chapter 13 Trustee, and all other parties of record to receive notice electronically via the United States Bankruptcy Court's CM/ECF system, this 9th day of September, 2014.

I further certify that I have sent a true and exact copy of the foregoing to the Debtors and all other creditors and parties-in-interest pursuant to the attached mailing matrix, by U.S. Mail, postage prepaid, this 9th day of September, 2014.

/S/ STEVEN L. LEFKOVITZ
Steven L. Lefkovitz

IN RE:

DANNY LANE KEYS and wife,
JANICE DIANE KEYS,
Husband's SS#: XXX-XX-8108
Wife's SS#: XXX-XX-0264
80 Timberline Road
Crossville, TN 38571

Debtors.

Chapter 13 Proceeding
Case No. 212-07578
Randal S. Mashburn, Judge

MOTION TO MODIFY CHAPTER 13 PLAN

Come the Debtors, through counsel, and respectfully move this Honorable Court to modify the above-referenced Chapter 13 plan, as follows:

- 1) The Debtors filed a petition for relief under Chapter 13 of the Bankruptcy Code on August 12, 2012. A meeting of creditors was held on September 20, 2012, and the plan was confirmed on December 26, 2012, paying a One Percent (1%) Percent dividend to the unsecured creditors.
- 2) All secured claims have been paid in full, and all allowed unsecured claims have been paid a One Hundred (100%) Percent dividend.
- 3) Accordingly, Debtors request that their plan be modified to increase the dividend to the unsecured creditors from One Percent (1%) to One Hundred Percent (100%) and to remove the base.
- 4) The Debtors further request that their plan be deemed complete and a discharge be entered herein.

WHEREFORE, Debtor prays that the above-sought relief be granted.

Respectfully submitted,

LEFKOVITZ & LEFKOVITZ

/S/ STEVEN L. LEFKOVITZ

Steven L. Lefkovitz, No. 5953

Attorney for Debtors

618 Church Street, Suite 410

Nashville, Tennessee 37219

Phone: (615) 256-8300

Fax: (615) 255-4516

Email: slefkovitz@lefkovitz.com

CERTIFICATE OF SERVICE

I hereby certify that I have sent a true and exact copy of the foregoing to Beth Roberts Derrick, Assistant United States Trustee, Henry E. Hildebrand, III, Chapter 13 Trustee, and all other parties of record to receive notice electronically via the United States Bankruptcy Court's CM/ECF system, this 9th day of September, 2014.

I further certify that I have sent a true and exact copy of the foregoing to the Debtors and all other creditors and parties-in-interest pursuant to the attached mailing matrix, by U.S. Mail, postage prepaid, this 9th day of September, 2014.

/S/ STEVEN L. LEFKOVITZ

Steven L. Lefkovitz

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE:

Donny Lane Keys and wife
Janice Diane Keys
Debtor(s).

212-07578
CASE NO.
CHAPTER [12 or 13]
JUDGE Randal S. Mashburn

AMENDED MONTHLY FAMILY BUDGET

Dates of Budgets:

Prior Budget* 8/2012
Current Budget* 2/2014

EXPENSES

Rent/Mortgage Payment:

4hr Plan 4hr Plan

Utilities:	Prior*	Current*
Electric:	20	20
Water:	10	10
Heat:		
Telephone/Internet	125	125
Trash:		
Cable/Satellite:		
Other ():		
Total Utilities:		

155	155
500	500
100	100
30	30
100	100
125	125
300	300

Food:

Clothing:

Laundry & Dry Cleaning:

Newspapers, Books, etc.:

Medical & Dental Expenses:

Transportation:

Insurance (not deducted from wages):

Auto:	145	145
Life:		
Home:	550	550
Renters:		
Other (Health):	530	530
Total Insurance:		

1225	1225
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Taxes (not deducted from wages)

Child Support

Home Maintenance

Other Monthly Expenses (Parents Toiletries Mon):

Regular Expenses From Operation of Business

TOTAL MONTHLY EXPENSES:

100	100
16334.83	14987.50
18969.83	17192.50

APPENDIX B-1

<u>INCOME</u>		<u>Prior Budget*</u>	<u>Current Budget*</u>
Debtor's Gross Income:		—	—
Spouse's Gross Income:		—	—
Payroll Deductions:	Prior* Current*		
Payroll Taxes:	—	—	
401(k):	—	—	
Other ()::	—	—	
Total Payroll Deductions:		—	—
Other Regular Income:			
Support/Alimony:			
Debtors' Social Security	827	827	
Income from Business	26000	26000	
Total Other Regular Income:		26827	26827
TOTAL MONTHLY INCOME:		26827	26827
SUMMARY:			
Total Monthly Income (from above):		26827	26827
minus Total Monthly Expenses (from page 1):		18969.83	17133.50
equals Monthly Surplus:		7857.17	9704.50
Monthly Plan Payment:		9704.50	9704.50
Duration of Plan (months):		60 mos.	60 mos.
Dividend to Unsecured Creditors (%):		100%	100%
Secured Creditors Affected:			
NONE			

* Explain any increase or decrease in income, expenses, or dividend that exceeds 10%:

[Signature]
 (Debtor)

2-12-2014

(Date)

[Signature]
 (Debtor)

2-12-2014

(Date)

APPENDIX B-2

PROPOSED ORDER

IN THE UNITED STATES BANKRUPTCY COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE

IN RE:

DANNY LANE KEYS and wife,
JANICE DIANE KEYS,
Husband's SS#: XXX-XX-8108
Wife's SS#: XXX-XX-0264
80 Timberline Road
Crossville, TN 38571

Debtors.

Chapter 13 Proceeding
Case No. 212-07578
Randal S. Mashburn, Judge

ORDER GRANTING DEBTORS' MOTION TO MODIFY CHAPTER 13 PLAN

Upon the Debtors' Motion to Modify Chapter 13 Plan and Notice Thereon having been filed with this Court and served upon all creditors and parties-in-interest on September 9, 2014; there having been no written objections filed with the Clerk of Court within twenty-one (21) days of Notice pursuant to LBR 9013-1; and, upon the entire record herein, the Court finds that said Motion is well taken and is, therefore, **GRANTED**.

Accordingly, it is hereby **ORDERED** that the above-referenced Chapter 13 plan shall be modified to increase the dividend to the unsecured creditors from One Percent (1%) to One Hundred Percent (100%) and to remove the base. It is further **ORDERED** that the plan shall be deemed complete and a discharge shall be entered herein.

THIS ORDER WAS SIGNED AND ENTERED ELECTRONICALLY
AS INDICATED AT THE TOP OF THE FIRST PAGE.

APPROVED FOR ENTRY:

LEFKOVITZ & LEFKOVITZ

Steven L. Lefkovitz, No. 5953
Attorney for Debtors
618 Church Street, Suite 410
Nashville, Tennessee 37219
Phone: (615) 256-8300
Fax: (615) 255-4516
Email: slefkovitz@lefkovitz.com

CERTIFICATE OF SERVICE

I hereby certify that I have sent a true and exact copy of the foregoing to Beth Roberts Derrick, Assistant United States Trustee, Henry E. Hildebrand, III, Chapter 13 Trustee, and all other parties of record to receive notice electronically via the United States Bankruptcy Court's CM/ECF system, this _____ day of _____, 2014.

Steven L. Lefkovitz

Label Matrix for local noticing
0650-2
Case 2:12-bk-07578
MIDDLE DISTRICT OF TENNESSEE
Cookeville
Mon Sep 8 16:20:49 CDT 2014

701 Broadway Room 170
Nashville, TN 37203-3944

American Express Travel Related Services Co
c/o Becket and Lee LLP
POB 3001
Malvern PA 19355-0701

CAPITAL ONE BANK (USA), N.A.
PO Box 12907
Norfolk VA 23541-0907

CUMBERLAND MEDICAL CENTER
Revenue Recovery Corporation
PO Box 50250
Knoxville, TN 37950-0250

Charter Communications
PO Box 600
Alcoa TN 37701-0600

City of Gatlinburg Ambulance
PO Box 2698
Knoxville TN 37901-2698

Cumberland County, Tennessee
c/o Kim Wyatt, Trustee
2 North Main Street
Crossville, Tennessee 38555-4543

Dr. Gallagher
PO Box 11567
Knoxville TN 37939-1567

FRANK BUCK, ESQ.
124 WEST MAIN ST
Smithville TN 37166-1324

PRA Receivables Management, LLC
POB 41067
NORFOLK, VA 23541-1067

AFNI, Inc.
404 Brock Dr
Bloomington IL 61701-2654

Bank of America
PO Box 650070
Dallas TX 75265-0070

CITY OF GATLINBURG AMBULANCE SERVICE
Revenue Recovery Corporation
PO Box 50250
Knoxville, TN 37950-0250

CUMBERLAND RADIOLOGICAL GROUP
Revenue Recovery Corporation
PO Box 50250
Knoxville, TN 37950-0250

Cingular
404 Brock Dr
Bloomington IL 61701-2654

Cookeville Regional Med Cntr
c/o Franklin Coll Svc
PO Box 3910
Tupelo, MS 38803-3910

Cumberland Medical Ctr
421 S Main St
Crossville TN 38555-5031

Dyck-O'neal, Inc.
15301 Spectrum Dr
Addison TX 75001-6436

First National Acceptance Company
PO Box 980
East Lansing MI 48826-0980

Tennessee Department of Revenue
c/o TN Atty Gen. Off., Bank Div.
P.O. Box 20207
Nashville, TN 37202-4015

Allstate Insurance Co
Two Wells Ave
Newton Center MA 02459-3225

C. DOUGLAS FIELDS, ESQ
18 EAST STREET
Crossville TN 38555-4534

CUMBERLAND CO TRUSTEE
2 S MAIN ST #111
CROSSVILLE TN 38555-4508

Charter
c/o AFNI, Inc.
404 Brock Dr
Bloomington IL 61701-2654

Circuit Court Clerk
125 Court St
Sevierville TN 37862-3552

Credit Protection Assoc
13355 Noel Rd
Ste 2100
Dallas TX 75240-6837

Cumberland Radiology Group
PO Box 3139
Crossville TN 38557-3139

FIS
3100 NY Drive
Ste 100
Pasadena CA 91107

Ford Motor Credit
PO Box 452000
Omaha NE 68154

Ft Sanders Sevier Medical
c/o Brown Agency
515 Airport Rd., Ste 105
Chattanooga TN 37421-3525

Gla Collection Company, Inc.
2630 Gleeson Lane
Louisville KY 40299-1772

Glenn & Bea Terry
1235 Ski Mountain Rd
#605
Gatlinburg TN 37738-3842

Internal Revenue Service
P O Box 7346
Philadelphia, PA 19101-7346

KELLY SIMS, ESQ.
7003 CHADWICK DR., STE 289
BUILDING ONE SYNERGY EXECUTIVE SUITES
Brentwood TN 37027-3234

Ken Williams
2908 Rambling Rd
Maryville TN 37801-9510

Kenneth & Alma Williams
J. Patrick Stapleton, PC
PO Box 4428
Sevierville TN 37864-4428

Knoxville Impatient Phys
PO Box 11567
Knoxville TN 37939-1567

LECONTE EMERGENCY DEPARTMENT
Revenue Recovery Corporation
PO Box 50250
Knoxville, TN 37950-0250

Lando Resorts
3015 N Ocean Blvd
Fort Lauderdale FL 33308-7344

LeConte Medical Center
c/o Brown Agency
515 Airport Rd., Ste 105
Chattanooga, TN 37421-3525

Midland Credit Mgmt
8875 Aero Dr
Ste 200
San Diego CA 92123-2255

Mountain National Bank
300 E Main St
Sevierville TN 37862-3518

Optima Recovery Service
6215 Kingston Pike
Knoxville TN 37919-4044

Palm Beach Resort
3015 N Ocean Blvd
Fort Lauderdale FL 33308-7344

Revenue Recovery Corp
612 Gay St
Knoxville TN 37902-1603

Richard Orphin, Jr. & Natalie Orphin
c/o David H. Parton
330 Pkwy
Gatlinburg TN 37738-4962

Rick Miller
2894 Hwy 72 E
Huntsville AL 35811-9683

TN DEPT REVENUE
C/O TN ATTY GEN BK UNIT
PO BOX 20207
NASHVILLE TN 37202-4015

TN Dept. of Revenue
c/o Office of Attorney General
Bankruptcy Division
PO Box 20207
Nashville, TN 37202-4015

Tri County Collection
221 E Main St
Ste 201
Morristown TN 37814-4730

UNIVERSITY HEALTH SYSTEMS
TCCA INC
PO BOX 1503
MORRISTOWN TN 37816-1503

US TRUSTEE +
OFFICE OF THE UNITED STATES TRUSTEE
701 BROADWAY STE 318
NASHVILLE, TN 37203-3966

United States Trustee
701 Broadway, Suite 318
Nashville, TN 37203-3966

University of TN Medical Ctr
1 Medical Plaza
Knoxville TN 37940

Vicke Moore, MD
815 E Parkway, Ste 7
Gatlinburg TN 37738-4915

WESTGATE RESORTS
2801 OLD WINTER GARDEN RD
OCOEEE FL 34761-2965

William Grey, MD
Hospital St
Newport TN 37782

Yellow Book
PO Box 1164
Metairie LA 70004-1164

Danny Lane Keys
80 Timberline Road
Crossville, TN 38571-5875

HENRY EDWARD HILDEBRAND III +
OFFICE OF THE CHAPTER 13 TRUSTEE
PO BOX 340019
NASHVILLE, TN 37203-0019

HOWARD G PICK
PO BOX 3285
CROSSVILLE, TN 38557-3285

Janice Diane Keys
80 Timberline Road
Crossville, TN 38571-5875

STEVEN L. LEFKOVITZ +
LAW OFFICES LEFKOVITZ & LEFKOVITZ
618 CHURCH ST STE 410
NASHVILLE, TN 37219-2452

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)PRA Receivables Management, LLC
POB 41067
Norfolk, VA 23541-1067

End of Label Matrix	
Mailable recipients	63
Bypassed recipients	1
Total	64